

# **TULARE COUNTY POLICY ON WORKPLACE VIOLENCE**

## **POLICY STATEMENT**

It is the policy of Tulare County to work to provide a safe, secure and healthful working environment reasonably free from fear of violence, aggression, intimidation, harassment or retaliation for all employees. Acts or threats of violence against the life, health or well-being of employees or members of their family or their property either in the workplace or in connection with that employee's conduct of County business will not be tolerated. Any such acts by County employees towards others constitutes grounds for disciplinary action up to and including dismissal from County employment and could result in criminal prosecution. The act or threat will, in and of itself, constitute grounds for discipline regardless of whether or not the perpetrator intended to carry out the threat.

As an addendum to the Tulare County Injury and Illness Prevention Program, this policy will address the hazards known to be associated with the three major types of workplace violence as outlined by Cal/OSHA.

Type I involves a violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.

Type II involves a violent act or threat of violence by a recipient of service provided by our County such as a client, patient, customer, parolee or a criminal suspect or prisoner.

Type III involves a violent act or threat of violence by a current or former employee, supervisor or manager or any other person who has some employment-related involvement with the County, such as an employee's spouse or lover, an employee's relative or friend, or another person, other than a recipient of service, who has a dispute with one of our employees.

## **RESPONSIBILITY**

All Department Heads, Managers and Safety Representatives are responsible for implementing and maintaining the provisions of this program for Tulare County. They shall develop a system to communicate to and answer questions from employees under their responsibility about the workplace security program and ensure that a copy of this Plan is available in every work location.

## **COMPLIANCE**

Tulare County is committed to ensuring that the safety and health policies and procedures involving workplace security are communicated to and observed by all employees. To this end:

1. Employees, supervisors and managers will be informed of the County Policy on Workplace Security. All employees will be provided with, and required to sign a copy of the policy statement.
2. Employees will be evaluated on their compliance with our workplace security measures.
3. Training and counseling will be provided to employees whose performance is deficient in complying with work practices designed to ensure workplace security.
4. Failure to comply with workplace security practices will result in disciplinary action.

## **COMMUNICATION**

Tulare County recognizes that to maintain a safe, healthy and secure workplace we must have open, two way communication between all employees, including managers and supervisors, on workplace safety, health and security issues. The County has a communications system designed to encourage a continuous flow of safety, health, and security information between management and our employees

without fear of reprisal and in a form that is readily understandable. Our communication system consists of the following:

1. New employee orientation on our workplace security policies, procedures and work practices.
2. Periodic review of our Illness and Injury Prevention Program for Workplace Violence with all personnel.
3. Training programs designed to address specific aspects of workplace security unique to each Department's working environment.
4. Regularly scheduled safety meetings with all personnel that include workplace security discussions.
5. Posted or distributed workplace security information that will ensure that employees and management at all levels understand County policies.
6. A procedure that allows employees to inform management about workplace security hazards or threats of violence.
7. Written plans for protecting employees who report threats from retaliation by the person making the threats.
8. Formation of a Workplace Violence Team of management specialists who will take immediate action on threats, violence or aggression in the workplace.

### PROHIBITED BEHAVIOR

For the purpose of this policy violence shall be defined as:

- **Verbal violence** - Threats, verbal abuse, or harassment involving unwarranted acts of language designed to threaten, intimidate or do harm.
- **Physical violence** - Unwelcome physical contact between two parties. Physical violence includes assaults, sexual assaults and property damage caused by vandalism, arson or terrorism.
- **Written violence** - Written threats including letters, notes, plans or drawings describing, detailing warning or delivering threats.

Such acts include threatening, intimidating, coercing, harassing or assaulting an employee or other person; or intentionally damaging property owned, operated or leased by the County, an employee or another person doing business with the County.

### REPORTING

Episodes of workplace violence can only be reduced if employees are willing to report threats of violent behavior. Any employee who receives, or learns of any threat or violent act is to report such incident to his/her supervisor or Department manager immediately. Information about the incident will remain confidential and will be disclosed only to those who have a need to know. All complaints will be investigated.

### **INCIDENT INVESTIGATIONS**

In the event of an immediate threat or violent act the department manager on site will immediately contact local law enforcement, then will contact his/her Department Head. A report of workplace violence or threat of violence will be thoroughly and promptly investigated. The Department Head will initiate this investigation and without delay notify the Personnel Director of each incident. The Personnel Director, or his designated alternate, will alert the Workplace Violence Team. The investigation will include:

1. Review all previous incidents involving any of the present participants.
2. Interview the threatened or injured employee and witnesses as soon as possible.
3. Visit the scene of the incident and make a workplace security assessment if warranted.
4. Assess possible causes of the incident including any prior incidents by the same perpetrator.
5. Taking corrective action to prevent the incident from escalating or recurring.
6. Alerting law enforcement authorities and arranging for Temporary Restraining Orders where the need exists. Certain actions may require an employee to be held legally/criminally responsible under state and/or federal law.

The Personnel Director has the authority and responsibility to initiate any restraining order or other legal document necessary to protect the employee(s) and their families.

### **MONITORING**

The County Safety Officer will routinely monitor the effectiveness of the County's violence and workplace security prevention practices. Changes may be made, as necessary, to correct or streamline responses to critical conditions.

### **TRAINING**

The County Training Officer and the County Safety officer will conduct training of all managers, supervisors, employees and new-hires on this policy. Each present employee and each newly hired employee will be given and required to sign a copy of the policy statement.

### **WORKPLACE VIOLENCE TEAM**

A Workplace Violence Team has been established within Tulare County to address complaints of workplace violence or threats of violence. When the Personnel Director determines that the nature of the threat or violence is best dealt with by a team approach he/she will convene the Workplace Violence Team or those members the Director deems appropriate to the incident. The Team will convene as soon as possible after the call of the Personnel Director. The team will consist of managers from the following:

Personnel	Sheriff
County Counsel	County Administration
District Attorney	Safety
Mental Health	

It has been generally recognized that the manner in which these events are handled in the first 24 hours and the steps taken during the week following greatly affect the outcome and severity of the incident. It will be the responsibility of the Workplace Security Team to direct the response and take the steps it deems necessary to protect the employee receiving the threat and to assure a timely investigation is started along with appropriate notification of law enforcement authorities. In addition to the above, the

Workplace Security Team will:

- Clarify management, legal, security and psychological issues
- Predict and prepare for potential escalation
- Coordinate communication, internally and externally
- Provide on-going consultation and support
- Monitor resolution of the situation

### **HAZARD ASSESSMENT**

Each Department work site will perform workplace violence hazard assessments for security in the form of periodic inspections according to the following:

- When we initially establish our IIP Program for Workplace Violence
- When new or previously unidentified workplace violence hazards are recognized
- When occupational injuries occur
- When potential workplace violence conditions warrant an inspection

Periodic inspections for workplace violence hazards consist of identification and evaluation of the potential hazards and changes in employee work assignments. Records of workplace violence inspections, including the name of the person conducting the inspection, are to be recorded and retained in the IIPP manual, Workplace Violence division, for three years.

### **QUESTIONS AND COMMENTS**

All employees are encouraged to take an active role in creating a safe and healthful work environment. Any questions or comments regarding this policy shall be directed to the Personnel Department.

### **EFFECTIVE DATE**

This policy becomes effective 30 days after adoption by the Board of Supervisors.